

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FRED QUIMBY, JONATHAN, JOSHUA,
JASON QUIMBY, RHONDA McSHAN,
et al.,

CV 05-202-AS

Plaintiffs,

ORDER

v.

ASA JAMES VALLANCE, JR., and
JENNIE ANN VALLANCE, JR.,

Defendants.

HAGGERTY, Chief Judge:

On October 27, 2005, Magistrate Judge Ashmanskas issued a Findings and Recommendation in this action (Doc. #40), in which the Magistrate Judge recommended that defendants' Petition for Attorney Fees (Doc. #27) be granted in the amount of \$3,667.50. No objections were filed.

The matter is now before the court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). A district court "may accept, reject, or modify, in whole or in part, the findings or

recommendations" made by a magistrate judge. 28 U.S.C. § 636(b)(1). Within ten days of being served with a copy of the Findings and Recommendation, any party may file written objections and the court shall make a *de novo* determination of those portions of the Findings and Recommendation to which objections are made. *Id.* When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Thomas v. Arn*, 474 U.S. 140, 149-150 (1985); *Campbell v. United States District Court*, 501 F.2d 196 (9th Cir. 1974). No clear error appears on the face of the record, and the court adopts Magistrate Judge Ashmanskas' Findings and Recommendation.

CONCLUSION

The Magistrate's Findings and Recommendation (Doc. #40) is adopted in its entirety. Defendants' Petition for Attorney Fees (Doc. #27) is GRANTED in the amount of \$3,667.50.

IT IS SO ORDERED.

Dated this 22 day of November, 2005.

/s/Ancer L.Haggerty
ANCER L. HAGGERTY
United States District Judge